

## **MIDDLESBROUGH COUNCIL**

### **PETITIONS SCHEME**

The Council welcomes petitions and recognises that petitions are a way in which people can let us know their concerns.

We will treat something as a petition if it is identified by the petitioner(s) as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

Middlesbrough Council  
Executive Office  
PO Box 99A  
Town Hall  
Middlesbrough  
TS1 2QQ

The Council also offers the facility for you to create your own petition, or sign other people's petition, on-line. We refer to these as e-Petitions. Further details with regards to submitting an e-Petition can be found on page 5.

#### **Guidelines for submitting a petition?**

Petitions submitted to the Council must include:

- a clear and concise statement explaining the subject of the petition. It should also state what action the petitioners wish the Council to take;
- the name and address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including an address, for the petition organizer (or Lead Petitioner).

This is important, as this is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the Council website.

If the petition does not identify a petition organiser, we will try to contact signatories to the petition to agree who should act as the petition organiser.

If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

## **What will the Council do when it receives my petition?**

In all cases an acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will say briefly what we plan to do with the petition and when they can expect to hear from us again. The petition will also be published on our website.

The relevant Ward Councillors will be advised that the petition has been received. Also, the relevant Executive Councillor and/ or the Mayor will be advised of receipt of the petition.

The petition will be recorded in a central Register of Petitions held by the Members' Office, and will be published on the Council website.

If we can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.

If the petition contains enough signatures we will offer a number of courses of action (see the next section 'How will the Council respond to petitions?'). In these cases we will contact the petition organizer, and the acknowledgment will confirm this. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a particular planning or licensing application, then the petition will be presented to the Committee that deals with the application.

If the petition relates to a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on these procedures will be sent to you either on request, or if we receive a petition relating to these matters.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

In the period immediately before an election or referendum we may need to deal with your petition differently, in which case we will explain the reasons and discuss the revised timescale which will apply.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish any correspondence relating to the petition (we will remove all personal details before doing this).

When you sign an e-Petition you can elect to receive this information by e-mail.

## **How will the council respond to petitions?**

Our response to a petition will depend on what a petition asks for and how many people have signed it.

In general terms, once the petition has been received, recorded in the register and notified to the relevant Councillors (as outlined in the above section 'What will the Council do when it receives my petition?') it will be sent to the relevant Director or Head of Service for consideration. For example, a petition relating to street cleaning would be sent to the Assistant Director, Environment, Property and Commercial Services.

If a petition contains more than 100 signatures, then the petition organiser will be contacted and asked if they would like to present their petition to a meeting of the Council. If the petition organiser wishes to do this then they will be given up to two minutes to present the petition to the Council meeting. The Executive Councillor who has responsibility for the subject of the petition and other Councillors may speak, but the presentation of and discussion in relation to each petition received is limited to no more than 5 minutes. The Council cannot take any decisions, or pass any motion, in respect of any petition received that relates to Executive matters.

Once a petition has been presented to a meeting of the Council then it will be sent to the relevant Director or Head of Service for consideration, as outlined above.

When considering the Council response to a petition, the Director or Head of Service responsible will consider all or some of the following options:

- taking the action requested in the petition
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation event
- holding a meeting with petitioners
- referring the petition for consideration by the Council's Overview & Scrutiny Board (the Overview & Scrutiny Board scrutinises the work of the Council, and has the power to hold the Council's decision makers to account)

The relevant Director or Head of Service will then write to the petition organiser setting out what the Council intends to do in response to the petition, and why. The Council response might include one or more of the above actions, along with any other specific actions it can take on the issues highlighted in a petition.

The Council may choose to say 'no' to the request contained in a petition. If this is the case then the Council will clearly explain their position in the response.

## **Petitions relating to matters that are not the responsibility of the Council**

The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will respond setting out the reasons why we are unwilling or unable to deal with the petition.

If your petition is about something for which a different Council or other public authority has responsibility, we will forward the petition to the appropriate Council.

If your petition is about something over which the Council has no direct control (for example the local bus services or hospital provision) then the Council will consider making representations on behalf of the community to the relevant body.

## **Full Council debates**

If a petition contains more than 1,500 signatures it will be debated by the full Council (unless it is a petition asking for a senior council officer to give evidence at a public meeting, which is dealt with in the next section 'Officer Evidence'). This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend and which is open to the public.

The Council will endeavour to consider the petition at its next meeting. On some occasions this may not be possible, in which case consideration will then take place at the following meeting.

The petition organiser will be given five minutes to present the petition at the Council meeting and the petition will then be discussed by Councillors for a maximum of 15 minutes.

The Council will decide how to respond to the petition at this meeting. It might decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant Committee of the Council.

Where the issue is one on which the Council Executive is required to make the final decision, the Council will decide whether to make recommendations to inform that decision.

After the meeting the petition organiser will receive written confirmation of the decision. This confirmation will also be published on the Council website.

## **Officer evidence**

A petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, a petition may ask a senior council officer to explain progress on an issue, or to explain the officer's advice given to Councillors that enabled them to make a particular decision.

If a petition contains at least 750 signatures, the relevant senior officer will give evidence at a public meeting of the Council's Overview & Scrutiny Board.

A list of the senior staff that can be called to give evidence can be found in the petitions section of the Council website (Council, Government and Democracy section).

The Overview and Scrutiny Board may decide that it would be more appropriate for another officer to give evidence, instead of the officer named in the petition – for instance if the named officer has changed jobs. The Overview and Scrutiny Board might also decide to call the relevant Executive Councillor to attend the meeting.

Members of the Overview and Scrutiny Board will ask the questions at this meeting, but you will be able to suggest questions to the Chair of the Board by contacting her prior to the meeting. If you wish to do this you should contact the Chair at least three working days before the meeting. The Members' Office can provide contact details, or this is available on the Council website.

## **E-petitions**

The Council also provides an e-Petitions facility on its website. The facility allows people to create and submit new petitions on-line, and to sign other petitions that have already been created.

e-Petitions must comply with the same guidelines as paper petitions, as outlined above. The petition organiser will need to provide us with their name, postal and e-mail addresses, and how long they would like the petition to be open for signatures (up to a maximum of 12 months).

When an e-Petition is first created, it may take up to five working days before it is published online. This is because the Council will have to check that the content of the petition is suitable before it is made available for signatures.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain why. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-Petition has closed for signature, it will be treated in the same way as a paper petition. The only difference between an e-Petition and a paper petition is the way that it is set up, and signatures obtained.

The Council's response to the petition will be e-mailed to everyone who has signed the e-Petition and has requested to receive this information. The response will also be published on this website.

### **How do I 'sign' an e-Petition?**

When you sign an e-Petition you will be asked to provide your name, your postcode and a valid e-mail address. When you have submitted this information you will be sent an e-mail to the address you have provided. This will include a link which you must click on in order to confirm the e-mail address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it, but your contact details will not be visible.

### **What can I do if I feel my petition has not been dealt with properly?**

If they feel that the Council has not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview & Scrutiny Board reviews the steps that the Council has taken in response to the petition.

The petition organiser will be asked to give a short explanation of the reasons why the Council's response is not considered to be adequate.

The Committee will endeavour to consider a review request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting.

Should the committee determine the Council has not dealt with a petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council Executive, or arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on the Council's website.

### **Council Contacts**

All petitions are logged and co-ordinated by the Executive Office in the Council. The Executive Office can be contacted as follows:

Middlesbrough Council  
Executive Office  
PO Box 99A  
Town Hall  
Middlesbrough  
TS1 2QQ

Email: [comps@middlesbrough.gov.uk](mailto:comps@middlesbrough.gov.uk)

Telephone: 01642 729117

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